

MARYLAND STATE BOARD OF VICTIM SERVICES
MEETING MINUTES
Wednesday, March 4, 2015
Anne Arundel County Police Department Headquarters

ATTENDEES

BOARD MEMBERS: Anne Bean, Barbara Bond, Jessica Dickerson, Linda Fleischer, Rea Goldfinger, Dave Wolinski for Rhea Harris, Chief Scott Keller, Molly Knipe, Patricia Marshall, Margery Patten, Scott Beard for Cindy Pease, Laurie Rajala for Chris Shank, Debra Tall, Deborah Unitus and Virginia Wolf.

STAFF: Richard Hoffman, Anne Litecky and Monique Mitchell.

GUESTS: Heather Amador, Sherry Baynes, Michael Cohen, Lisae Jordan, Jeff Karberg, Amy Steinly-Marks, Mooch Mutchler, Pauline Mandel, and Asha Reynolds,

WELCOME AND INTRODUCTION: Barbara Bond, Vice Chair, began the meeting at approximately 10:09 a.m. and thanked everyone for attending. Barbara explained that Ellen Alexander, Chair, was not attending because she is recovering from an injury last month.

- ❖ Barbara advised voting for February Maryland State Board of Victim Services (State Board) Meeting Minutes will be tabled until after the presentation.

PRESENTATION

❖ **David Soule, MD State Commission on Criminal Sentencing Policy**

- Maryland was one of the first states to introduce sentencing guidelines. They were introduced in the late 1970's by the Guidelines Advisory Board, which was created by the Judiciary to prevent Legislation from presumptive sentencing guidelines
- The Judiciary established voluntary guidelines that were implemented statewide in 1983.
- The guidelines are designed to account for offender and offense characteristics; help determine an appropriate sentence based on the offender's prior record and the seriousness of the offense; and provide consistency in sentencing.
- In the 1990's the General Assembly creates a study commission to do a complete review of sentencing policy throughout the state. The study commission was in place from 1996-1999 and made several recommendations on the guidelines:
 - ◆ The guidelines remain voluntary
 - ◆ An establishment of an independent permanent sentencing commission that had oversight of the criminal sentencing guidelines
- The Maryland State Commission on Criminal Sentencing Policy (MCCSP) has 19 members that consists of members from all three branches of state government and representation from the Maryland State's Attorney's Office, Defense Attorney Association, Victim Advocate, Law Enforcement and Criminal Justice Policy Expert, Attorney General's Office, State Public Defender, Local detention center and two public members.
- The Commission's goal is to increase equity in sentencing, articulate an explicit sentencing policy, to provide information to new or rotating judges and to promote and increase visibility and aid public understanding of the sentencing process.
- A Maryland Sentencing Guidelines Worksheet is completed for every Circuit Court case. There are two sections on this form that relate to victims: Imposed court cost and questions related to the victims participation to the sentencing event.
- Administrative judges don't know that victim court costs should be imposed separate from general court costs.
- The victim related sections were not adopted until July 2001.
- There have been challenges to getting these victim sections completed. The commission decided to re-word the questions for clarity.
- This form is now available electronically in three jurisdictions; Montgomery, Calvert and Frederick counties. St. Mary's is scheduled next and a new jurisdiction is planned for every three months.
- Training is provided to SAO and administrative judges every two years and with newly appointed judges every year.

- Public defenders, parole and probation agents and law clerks are trained as needed.
- Since the automated system has been used, there has been a 50-80% increase in completion of victim questions.
- The automated system MAGS (Maryland Automated Guidelines System) accomplishes the following:
 - ◆ Reduction of calculation errors
 - ◆ Simplifies guidelines calculation process
 - ◆ Improves the accuracy and completeness

❖ **Jeff Karberg, Identity Theft Unit, Attorney General's Office**

- The Identity Theft unit provides resources on Identity Theft and assists victims on the process of correcting Identity Theft.
- Most victims do not understand identity theft and don't realize that it has happened to them.
- There are several types of Identity Theft:
 - ◆ Government Benefits- People steal information to get government benefits
 - ◆ Tax Fraud
 - ◆ Medical Identity Fraud-Someone gets medicine or medical treatment in your name
 - ◆ Criminal Identity Fraud- Someone commits a crime and gives your name
 - ◆ Existing Account Fraud- When an existing account is compromised
 - ◆ New Account Fraud-When someone opens a new account using your name and credit information
- A police report must be filed to begin an identity fraud investigation.
- Maryland offers a credit freeze that will place a fire wall on all new accounts opened against your credit. This is also offered for juveniles; parents can place the credit freeze for their children by contacting each of the credit bureaus.
- Victims can receive an Identity Theft passport. This can be showed to lenders, creditors and law enforcement to verify that they have been a victim of identity theft.

❖ **Mooch Mutchler, Maryland Children's Alliance (MCA)**

- Maryland Children Alliance provides support to the 21 Child Advocacy Centers throughout the State of Maryland.
- The Child Advocacy Centers help children who have been sexually and physically abused.
- All 21 agencies come together for a regular meeting and an annual conference.
- The Alliance provides vicarious trauma training to advocates and staff at the Advocacy Centers.

❖ **Lisae Jordan, Lobbyist for MCA and Maryland Coalition Against Sexual Assault (MCASA)**

- *SB525-Child Abuse and Neglect-Failure to Report* requires the multidisciplinary team to report to licensing boards if child abuse is not being reported by medical examiners
- *SB489- Education - Sexual Abuse and Assault Awareness and Prevention Program - Development and Implementation* requires child sexual abuse education in elementary, middle and high school

❖ **LSCV Grant Presentations**

- Sexual Assault Legal Institute (SALI), Lisae Jordan
 - ◆ LSCV allows SALI to address criminal justice needs of sexual assault survivors and victims.
 - ◆ SALI was created 11 years ago as a request from Rape Crisis Centers. There were no legal services specifically for sexual assault survivors.
 - ◆ SALI is one of the only legal service agency that assist children and adults of sexual abuse.
 - ◆ SALI educates victims on their legal rights in the criminal justice system, provides comprehensive legal services, and represents survivors in court to protect their rights.

- Maryland Crime Victims Resource Center (MCVRC), Pauline Mandel
 - ◆ LSCV partially funds two attorney salaries that handle appellate, criminal court cases and criminal justice agency cases.
 - ◆ MCVRC assists all victims in the State of Maryland from start to finish, in all ways; advocacy, support, counseling and legal services.
 - ◆ It has been very hard to get funding, because MCVRC does not assist a specific type of victim, but all victims.

COMMITTEE REPORTS

❖ Legislative Committee, Barbara Bond

- The State Board's primary legislative focus for 2015 was to increase court fees. The Board was advised in order to pursue this proposed Bill, a sponsor would be needed. No sponsor was confirmed
- The Board decided to support the following Bill:
 - ◆ HB581 Damages for Crime Victims against Elderly or Vulnerable Adults
- Board Members were given a handout with all the Bills that were related to crime victims. All voting for the Board's position will be done electronically for sake of time.

APPROVAL OF MINUTES

The State Board acknowledges that they are aware of the last few meeting minutes being edited by GOCCP and remains concerned about this ongoing practice. The balance of the MVOC Fund is still under review by the GOCCP Fiscal Dept for year to year discrepancies and lack of income from the courts. The State Board appeals to the Executive Director to meet and discuss this item along with others as soon as possible.

Laurie Rajala advised that GOCCP added information to the minutes for clarity, edited some grammatical errors and updated some information concerning VOCA funds.

- ❖ **Motion:** Move to approved meeting minutes from January 7, 2015 and February 4, 2015 as revised by GOCCP
- ❖ **Vote:** Seconded and unanimously approved

- ❖ **Meeting Adjourned:** Guests and Board members are thanked for their participation. The meeting was adjourned at approximately 12:12pm.

REMINDERS

**The next Board meeting: Wednesday, June 3, 2015 at 10:00 a.m.
Anne Arundel Police Department Headquarters**